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| EXAMINER | |
|---|---|
| HOANG, SON T | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/519,606 | LINDSKOG ET AL. | |
| | Examiner | Art Unit | |
| | SON T. HOANG | 2165 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *03* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *06 May 2009*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *25-47* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *25-47* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *27 December 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

### *Response to Amendment*

1. This communication is in response to the amendment filed on May 6, 2009.

**Claims 1-24**, and **48** are canceled.

**Claims 25-47** are pending.

### *Response to Arguments*

2. Applicant's arguments with respect to the 35 U.S.C. 101 rejections of **claims 37-47** have been fully considered but are not persuasive.

Independent **claim 37** recites "*a data processing system*" comprising a user agent containing a plurality of means. Independent **claim 44** recites a "*content provider apparatus*" comprising a plurality of means for providing a request resource. Applicant argues that the specification explicitly states "the user agent could be implemented in software, hardware or a combination thereof" ([0021] of PG-Pub), and "the means of the content provider ... can be implemented in software, in hardware or as a combination of software and hardware" ([0094] of PG-Pub) thereby renders the claimed system and apparatus as statutory subject matters.

The Examiner respectfully disagrees with the above remarks. Contrary to Applicant's interpretation, each of the system and apparatus defined by the citations above can indeed be implemented in software only (hardware or combination of hardware and software are not necessary or optional). Applicant is suggested to limit

the claimed subject matters of **claims 37** and **44** to hardware or combination of hardware and software only (emphasis added) to overcome the above 35 U.S.C. 101 rejections.

**Claims 38-43**, and **45-47** are also rejected under 35 U.S.C. 101 based on their dependencies on **claims 37** and **44** respectively.

3. Applicant's arguments with respect to the 35 U.S.C. 103(a) rejections of the pending claims have been fully considered but are not persuasive.

Applicant argues towards **independent claims 25, 33, 37,** and **44** regarding the fact that the combination of Cranor and Suryanarayana does not teach the cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy.

The Examiner respectfully disagrees with the above remarks. Accordingly, Suryanarayana explicitly discloses whether the response of a user accepting or rejecting the content provider's policy will activate retrieval of information from the content's provider or not (*The user is now able to listen as well as read the policy and provide a response. The response may be, as indicated in the previous embodiments, a voice or text entry. If the user has responded that she agrees with the policy, the desired content from the Web site is retrieved with a command such as "HTTP Get coolpage.html"(711)*, [0073]). Clearly, the response from the user is indeed the claimed policy receipt.

In view of the above, the Examiner contends that all limitations as recited in the claims have been addressed in this instant Office action. Hence, Applicant's arguments do not distinguish over the claimed invention over the prior arts of record.

For the above reasons, the Examiner believes that rejection of this instant Office action is proper.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. **Claims 37-47**'s rejections are maintained under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Regarding **claim 37**, "*a data processing system…*" is being recited with a user agent comprises multiple components, e.g. means for receiving, and means for transmitting. However, Applicant clearly states in the specification that "*the user agent 100 could be provided as software*" ([Page 23, Lines 28-29]), thus confirms that the user agent and its components are indeed software components.

Regarding **claim 44**, "*a content provider apparatus adapted for…*" is being recited with multiple components, e.g. means for receiving a resource request, means for transmitting a privacy policy, means for receiving a cookie-policy receipt, means for providing cookie. However, Applicant clearly states in the specification that "*the means of the content provider 200 in Figure 6, i.e. I/O unit 210, cookie generator 230, and*

*database processor 240 can be implemented in software*" ([Page 25, Lines 11-14]), thus confirms that these components are indeed software components.

Therefore, each of the claimed apparatus/system above is directed to a software system itself not a process occurring as a result of actually executing the software components, a machine programmed to operate in accordance with the software components, nor a manufacture structurally and functionally interconnected with the software components in a manner which enables the software components to carry out their functionalities. The claimed system/apparatus is also not a combination of chemical compounds to be a composition of matter. As such, it fails to fall within a statutory category. It is, at best, functional descriptive material *per se*.

**Claims 38-43**, and **45-47** fail to resolve the deficiencies of **claims 37**, and **44** since they only further limit the scope of **claims 37**, and **44** respectively. Hence, **claims 38-43**, and **45-477** are also rejected under 35 U.S.C. 101.

The claims above lack the necessary physical articles or objects to constitute a machine or a manufacture within the meaning of 35 U.S.C. 101. They are clearly not a series of steps or acts to be a process nor are they a combination of chemical compounds to be a composition of matter. As such, they fail to fall within a statutory category. They are, at best, functional descriptive material *per se*.

Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." Both types of "descriptive material" are nonstatutory when claimed as descriptive material *per se*, 33 F.3d at 1360, 31 USPQ2d at 1759. When functional descriptive material is recorded on some computer-readable

medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. Compare *In re Lowry*, 32 F.3d 1579, 1583-84, 32 USPQ2d 1031, 1035 (Fed. Cir. 1994)

Merely claiming nonfunctional descriptive material, i.e., abstract ideas, stored on a computer-readable medium, in a computer, or on an electromagnetic carrier signal, does not make it statutory. See Diehr, 450 U.S. at 185-86, 209 USPQ at 8 (noting that the claims for an algorithm in *Benson* were unpatentable as abstract ideas because "[t]he sole practical application of the algorithm was in connection with the programming of a general purpose computer.")

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. **Claims 25-30**, **33-42**, and **44-47** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cranor et al. (*Platform for Privacy Preferences Syntax Specification, hereinafter Cranor*) in view of Suryanarayana (*Pub. No. US 2003/0112791, filed on December 14, 2001*).

Regarding **claim 25**, Cranor clearly shows and discloses a method of managing cookies in a data processing system ([Pages 4-5, Section 1.3]) comprising the steps of:

a user agent requesting a resource associated with a cookie (proposal) from a content provider (*home page of CoolCatalog*, [Page 45, Appendix 4]).

receiving a privacy policy associated with said cookie; and (*CoolCatalog sends a proposal, including privacy practices, disclosures, and the data elements to which they apply*, [Page 45, Appendix 4]).

said user agent transmitting, in response to reception of said privacy policy associated with said cookie (*receipt of a proposal*, [Page 16, Section 3.3.4, Paragraph 1]), a cookie-policy receipt to said content provider, said cookie-policy receipt based only on a user decision (*agreementID / fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]).

Cranor does not explicitly disclose cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy.

However, Suryanarayana teaches cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy (*The user is now able to listen as well as read the policy and provide a response. The response may be, as indicated in the previous embodiments, a voice or text entry. If the user has responded that she agrees with the policy, the desired content from the Web site is retrieved with a command such as "HTTP Get coolpage.html"(711)*, [0073]. *Clearly, the response from the user is indeed the claimed policy receipt*).

It would have been obvious to an ordinary person in the art at the time of the invention was made to incorporate the teachings of Suryanarayana with the teachings of Cranor for the purpose of allowing an individual to accept or reject that policy based on his or her own preferences about sharing personally identifiable information with the Web site after reviewing the privacy policy of a Web site owner ([0005] of Suryanarayana).

Regarding **claim 26**, Cranor further discloses a method wherein user agent transmitting said cookie-policy receipt (*agreementID/fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4] in a resource fetch message (*OK in case of acceptance*, [Page 14, Section 3.3.1] *or SRY in case of refusal* [Page 15, Section 3.3.3, Paragraph 1]).

Regarding **claim 27**, Cranor further discloses said user decision is determined by:

said user agent comparing said privacy policy with user preference, said user preference specifying a cookie privacy policy accepted by said user (*to determine whether to enter into an agreement. An agreement applies to all data exchanged between the user agent and service within a specified realm* [Page 5, Section 1.3, Paragraph 2]); and

said user agent generating said cookie-policy receipt based on said comparison (*agreementID/fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]).

Regarding **claim 28**, Cranor further discloses a method wherein if said received privacy policy does not match said user preference ([Page 5, Section 1.3, Paragraph 4]), said method further comprising the steps of:

said user agent presenting said received privacy policy for said user on said user equipment (*shown to a human user*); and

said user agent generating said cookie-policy receipt in response to a user-input signal (*agreementID / fingerprint of agreement*).

Regarding **claim 29**, Cranor further discloses wherein said user decision is determined by:

said user agent presenting said received privacy policy for said user on said user equipment (*shown to a human user*); and

said user agent generating said cookie-policy receipt in response to a user-input signal (*agreementID / fingerprint of agreement*)

Regarding **claim 30**, Cranor further discloses the step of authenticating said cookie-policy receipt with an authentication key associated with said user agent (*The MD5 algorithm is intended for digital signature applications, where a large file must be "compressed" in a secure manner before being encrypted with a private (secret) key under a public-key cryptosystem such as RSA or PGP*, [Pages 41-44, Appendix 2]).

Regarding **claim 33**, Cranor clearly shows and discloses a method of providing cookies in a data processing system where in a user agent requests a resource

associated with a cookie from a content provider ([Pages 4-5, Section 1.3]), said method comprising the steps of:

receiving a resource request, wherein the resource is associated with a cookie from said content provider ([Page 45, Appendix 4, Paragraph 2]),

transmitting a privacy policy associated with said cookie to said user agent ([Page 45, Appendix 4, Paragraph 4]);

receiving a cookie-policy receipt based on a user decision from said user agent (*CoolCatalog sends a proposal, including privacy practices, disclosures, and the data elements to which they apply*, [Page 45, Appendix 4]);

said content provider providing, in response to reception of a cookie-policy receipt from said user agent (*user agent sending out requested data including agreementID it is operating under to server*, [Page 16, Section 3.3.4, Paragraph 1]), said cookie to user equipment associated with said user agent when said cookie-policy receipt specifies that a user associated with said user agent accepts the privacy policy (*once the user has accepted the agreement, the service will send the appropriate data elements, which are then saved transparently by the user agent*, [Pages 10-11, Section 2, Scenario 5]).

Cranor does not explicitly disclose cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy.

However, Suryanarayana teaches cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy (*The user is now able to listen as well as read the policy and provide a response. The response may*

*be, as indicated in the previous embodiments, a voice or text entry. If the user has responded that she agrees with the policy, the desired content from the Web site is retrieved with a command such as "HTTP Get coolpage.html"(711)*, [0073]. *Clearly, the response from the user is indeed the claimed policy receipt*).

It would have been obvious to an ordinary person in the art at the time of the invention was made to incorporate the teachings of Suryanarayana with the teachings of Cranor for the purpose of allowing an individual to accept or reject that policy based on his or her own preferences about sharing personally identifiable information with the Web site after reviewing the privacy policy of a Web site owner ([0005] of Suryanarayana).

Regarding **claim 34**, Cranor further discloses a method wherein user agent transmitting said cookie-policy receipt in a resource fetch message (*OK in case of acceptance*, [Page 14, Section 3.3.1] *or SRY in case of refusal* [Page 16, Section 3.3.3, Paragraph 1]).

Regarding **claim 35**, Cranor further discloses a method wherein, said cookie-policy receipt specifies that a user associated with said user agent accepts that said content provider provides said cookie to said user equipment (*once the user has accepted the agreement, the service will send the appropriate data elements, which are then saved transparently by the user agent*, [Pages 10-11, Section 2, Scenario 5]).

Regarding **claim 36**, Cranor further discloses a method wherein cookie policy receipt is generated based on a comparison between said privacy policy and user preference ([Page 5, Section 1.3, Paragraphs 3-4]) that specifies a cookie privacy policy

accepted by said user (*An agreement applies to all data exchanged between the user agent and service within a specified realm* [Page 5, Section 1.3, Paragraph 2]).

Regarding **claim 37**, Cranor clearly shows and discloses a data processing system for requesting a resource associated with a cookie (data) from a content provider ([Pages 4-5, Section 1.3]), said data processing system comprising:

a user agent ([Page 13, Section 3.2, Paragraph 1]), said user agent comprising:

means for receiving a privacy policy associated with said cookie; ([Page 13, Section 3.2]) and

means for transmitting (*communicating to the server using standard HTTP methods such as "GET" or "POST"*, [Page 13, Section 3.2, Paragraph 1]), in response to reception of a privacy policy associated with said cookie (*receipt of a proposal*, [Page 16, Section 3.3.4, Paragraph 1]), a cookie-policy receipt (*agreementID/fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]) to said content provide.

Cranor does not explicitly disclose cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy.

However, Suryanarayana teaches cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy (*The user is now able to listen as well as read the policy and provide a response. The response may be, as indicated in the previous embodiments, a voice or text entry. If the user has responded that she agrees with the policy, the desired content from the Web site is retrieved with a command such as "HTTP Get coolpage.html"(711)*, [0073]. *Clearly, the response from the user is indeed the claimed policy receipt*).

It would have been obvious to an ordinary person in the art at the time of the invention was made to incorporate the teachings of Suryanarayana with the teachings of Cranor for the purpose of allowing an individual to accept or reject that policy based on his or her own preferences about sharing personally identifiable information with the Web site after reviewing the privacy policy of a Web site owner ([0005] of Suryanarayana).

Regarding **claim 38**, Cranor further discloses that transmitting means (*standard HTTP methods such as "GET" or "POST"*, [Page 13, Section 3.2, Paragraph 1]) from user agent to content provider includes said cookie-policy receipt in a resource fetch message (*OK in case of acceptance*, [Page 14, Section 3.3.1] *or SRY in case of refusal* [Page 15, Section 3.3.3, Paragraph 1]).

Regarding **claim 39**, Cranor further discloses a data processing system according comprising means for determining the user decision, said means for determining further comprising:

means for comparing said received privacy policy with user preference to determine whether to enter into an agreement (*An agreement applies to all data exchanged between the user agent and service within a specified realm*, [Page 5, Section 1.3, Paragraph 2]).

means for generating, connected to said comparing means, said cookie-policy receipt as a function of said comparing of said privacy policy with said user preference ([Page 5, Section 1.3, Paragraphs 3-4]).

Regarding **claim 40**, Cranor further discloses [Page 5, Section 1.3, Paragraph 4] a means for presenting said received privacy policy (proposal) for said user on said user equipment (*shown to a human user*), said generating means being adapted for generating said cookie-policy receipt (*agreementID/fingerprint of agreement*) in response to a user input signal.

Regarding **claim 41**, Cranor further discloses means for determining the user decision, said means for determining further comprising:

means for presenting said received privacy policy for said user on said user equipment (*shown to a human user*, [Page 5, Section 1.3, Paragraph 4]); and

means for generating said cookie-policy receipt in response to a user input signal (*agreementID / fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]).

Regarding **claim 42**, Cranor further discloses a means to authenticate said cookie-policy receipt (*agreementID / fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]) with an authentication key associated with said user agent (*The MD5 algorithm is intended for digital signature applications, where a large file must be "compressed" in a secure manner before being encrypted with a private (secret) key under a public-key cryptosystem such as RSA or PGP*, [Page 41, Appendix 2]).

Regarding **claim 44**, Cranor clearly shows and discloses a content provider apparatus arranged to provide a requested resource associated with a cookie to a user agent in a data processing system ([Pages 4-5, Section 1.3]), said content provider comprising:

means to receiving a resource request from said user agent ([Page 9, Section 2, Scenario 1, Protocol Scenario]);

means for transmitting a privacy policy associated with said cookie to said user agent (*content/proposal is sent to user agent in a header, HTML header, or as referenced by URL*, [Page 9, Section 2, Scenario 1, Protocol Scenario]); means for receiving a cookie-policy receipt based on a user decision [Page 9, Section 2, Scenario 1, Protocol Scenario]; and

means for providing, in response to reception of a cookie-policy receipt (*agreementID/fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4] from said user agent (*user agent sending out requested data including agreementID it is operating under to server*, [Page 16, Section 3.3.4, Paragraph 1], said cookie to said user equipment associated with said user agent when said cookie-policy receipt (*agreementID/fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]) specifies that a use associated with said user agent accepts the privacy policy (*once the user has accepted the agreement, the service will send the appropriate data elements, which are then saved transparently by the user agent*, [Pages 10-11, Section 2, Scenario 5]).

Cranor does not explicitly disclose cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy.

However, Suryanarayana teaches cookie-policy receipt specifying whether a user associated with said user agent accepts or rejects the privacy policy (*The user is now able to listen as well as read the policy and provide a response. The response may be, as indicated in the previous embodiments, a voice or text entry. If the user has responded that she agrees with the policy, the desired content from the Web site is retrieved with a command such as "HTTP Get coolpage.html"(711)*, [0073]. *Clearly, the response from the user is indeed the claimed policy receipt*).

It would have been obvious to an ordinary person in the art at the time of the invention was made to incorporate the teachings of Suryanarayana with the teachings of Cranor for the purpose of allowing an individual to accept or reject that policy based on his or her own preferences about sharing personally identifiable information with the Web site after reviewing the privacy policy of a Web site owner ([0005] of Suryanarayana).

Regarding **claim 45**, Cranor further discloses that a content provider apparatus receiving said cookie-policy receipt (*agreementID/fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4] in a resource fetch message (*OK in case of acceptance*, [Page 14, Section 3.3.1] *or SRY in case of refusal* [Page 15, Section 3.3.3, Paragraph 1]).

Regarding **claim 46**, Cranor further discloses means for providing said cookie-associated resource (*content/proposal is sent to user agent in a header, HTML header,*

*or as referenced by URL*, [Page 9, Section 2, Scenario 1, Protocol Scenario]) if said cookie-policy receipt specifies that said user accepts that said content provider provides said cookie to said user equipment (*once the user has accepted the agreement, the service will send the appropriate data elements, which are then saved transparently by the user agent*, [Pages 10-11, Section 2, Scenario 5]).

Regarding **claim 47,** Cranor further discloses a content provider apparatus wherein cookie policy receipt (*agreementID / fingerprint of agreement*, [Page 5, Section 1.3, Paragraph 4]) is generated based on a comparison between said received privacy policy and user preference ([Page 5, Section 1.3, Paragraphs 3-4]) that specifies a cookie privacy policy accepted by said user (*An agreement applies to all data exchanged between the user agent and service within a specified realm* [Page 5, Section 1.3, Paragraph 2]).

8. **Claims 31-32**, and **43** are rejected under 35 U.S.C. 103(a) as being unpatentable over Cranor et al. (*Platform for Privacy Preferences Syntax Specification, hereinafter Cranor*) in view of Suryanarayana (*Pub. No. US 2003/0112791, filed on December 14, 2001*), and further in view of Mitchell et al. (*Pat. No. US 6,959,420, filed on November 30, 2001; hereinafter Mitchell*).

Regarding **claim 31**, Cranor, as modified by Suryanarayana, does not specifically disclose the step of removing previously stored cookie(s) associated with requested resource in user equipment.

However, Mitchell discloses a method to evaluate web site platform for privacy preferences policy wherein operation for web site to persist, retrieve (referred to as replay) or delete its cookie data in the set of cookies on the user's machine being done through user input via a prompt ((Column 7, Line 56 → Column 8, Line 28]).

It would have been obvious to a person with ordinary skills in the art at the time the invention was made to incorporate the teachings of Mitchell with the teachings of Cranor, as modified by Suryanarayana, for the purpose of evaluating privacy policies provided by web sites to determine whether each side is permitted to perform operations (e.g., store, retrieve or delete) directed to cookies on a user's computer by comparing the privacy policy specified by the web site to the user's privacy preferences and other specified information available on the client computer ([Column 2, Lines 34-43] of Mitchell).

Regarding **claim 32**, Mitchell further discloses ignoring a cookie request command transmitted from said content provider to said user agent if said cookie-policy receipt specifies that said user does not accept that said content provider provides said cookie to said user equipment (*evaluating web site platform for privacy preferences policy wherein user's response to the prompt may be stored in association with a particular web site so that the user needs not again to be interrupted when this site is accessed*, [Column 12, Lines 39-53]).

Regarding **claim 43**, Mitchell further discloses removing a cookie associated with said requested resource from a storage in said user equipment if said cookie-policy receipt specifies that said user does not accept that said content provider provides said cookie to said user equipment (*evaluation of web site platform with user's privacy preferences policy wherein there is a means for user agent to delete its cookie data in the set of cookies on the user's machine being done through user input via a prompt*, [Column 7, Line 56 → Column 8, Line 28]).

***Conclusion***

9. **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Contact Information***

10. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Son T. Hoang whose telephone number is (571) 270-1752. The Examiner can normally be reached on Monday – Friday (7:00 AM – 4:00 PM).

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Neveen Abel-Jalil can be reached on (571) 272-4074. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/S. T. H./
Examiner, Art Unit 2165
July 21, 2009

/Neveen Abel-Jalil/

Supervisory Patent Examiner, Art Unit 2165